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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Gary K. Michelson, M.D. )  
Serial No.: 09/593,591 ) Group Art Unit: 3738  
Filed: June 13, 2000 ) Examiner: N/A  
For: MANUFACTURED MAJOR )  
LONG BONE RING IMPLANT SHAPED )  
TO CONFORM TO A PREPARED )  
INTERVERTEBRAL IMPLANTATION )  
SPACE )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(b)**

Further to the Information Disclosure Statement dated June 13, 2000 and pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of English language abstracts and related patents of the listed non-English documents (previously cited) are attached.

Please note that ES 283078 and U.S. Patent No. 4,877,020 ('020) were previously submitted in the Information Disclosure Statement filed June 13, 2000. The ES 283078 reference is cited again in the attached Form PTO 1449 to indicate that it is related to the '020 reference which is in English.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1066.

Respectfully submitted,

MARTIN & FERRARO LLP

Date: September 6, 2001

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